

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

COMMONWEALTH OF PENNSYLVANIA
By MICHELLE A. HENRY, Attorney
General,

Plaintiff,

v.

PROSPECT MEDICAL HOLDINGS, INC.,
PROSPECT CROZER, LLC, LEONARD
GREEN AND PARTNERS, SAMUEL LEE,
Individually, and DAVID TOPPER,
Individually,

Defendants.

Case No.: 2:24-cv-05853

STIPULATION AND ORDER

Plaintiff Commonwealth of Pennsylvania and Defendants Prospect Medical Holdings, Inc. and Prospect Crozer, LLC (together, “Prospect”), Defendant Leonard Green and Partners, (“Leonard Green”), Defendant Samuel Lee, and Defendant David Topper (together, “Defendants”), by and through their undersigned counsel, hereby stipulate and agree as follows:

WHEREAS, the Complaint was removed to federal court on October 31, 2024;

WHEREAS, a Motion to Remand was filed on November 15, 2024; and

WHEREAS, Prospect filed an Amended Notice of Removal on November 27, 2024; and

WHEREAS, Plaintiff filed an Amended Motion to Remand on December 10, 2024; and

WHEREAS Plaintiff and Prospect had stipulated to a briefing schedule on November 12, 2024 [Dkt. 13], and have subsequently met and conferred about modifying that schedule in light of the Motion to Remand;

WHEREAS Plaintiff and Defendants had stipulated to a briefing schedule on November 22, 2024 [Dkt. 20], and have subsequently met and conferred about modifying that schedule in light of the Amended Motion to Remand;

IT IS THEREFORE STIPULATED AND AGREED that:

1. On or before January 9, 2025, Defendants shall file any oppositions to Plaintiff's Amended Motion to Remand.
2. The deadlines set forth in the prior stipulation [Dkt. 13] shall be continued and enlarged while Plaintiff's Amended Motion to Remand is pending and for additional days as set forth below.
3. Should Plaintiff's Amended Motion to Remand be granted, the briefing schedule as to the Complaint and the Motion for Injunction and Receiver will be moot.
4. Should Plaintiff's Amended Motion to Remand be denied, Defendants shall have 30 days from the filing of the decision on the Amended Motion to Remand to answer, move, or otherwise respond to the Complaint. Plaintiff shall file any opposition to any motion to dismiss within 30 days, and Defendants shall file any replies in further support of any motion to dismiss within 14 days. Any sur-replies shall be filed within 14 days. The parties will thereafter jointly request a date for argument, as necessary.
5. Should the Amended Motion to Remand be denied, Prospect will have 30 days from the date of the decision on the Amended Motion to Remand to respond to the Motion for Injunction and Receiver. Plaintiff shall have 14 days to respond to Prospect's pleadings. Any sur-replies shall be filed within 14 days. The parties will thereafter jointly request a date for hearing and argument, as necessary.

6. Prospect shall remain subject to all statutory conditions, *e.g.*, 72 P.S. § 1730-H(5)(vii), regarding hospital services and specialties.

Dated: December 13, 2024

<p>COMMONWEALTH OF PENNSYLVANIA OFFICE OF ATTORNEY GENERAL</p>	<p>DUANE MORRIS LLP</p>
<p><u>/s/ Mark A. Pacella</u></p>	<p><u>/s/ Luke P. McLoughlin</u></p>
<p>James A. Donahue, III First Deputy Attorney General Mark Pacella Executive Deputy Attorney General 1600 Arch Street, Suite 300 Philadelphia, PA 19103</p>	<p>Alan C. Kessler Luke P. McLoughlin 30 South 17th Street Philadelphia, Pennsylvania 19103 Phone: 215.979.1000</p>
<p><i>Counsel for Plaintiff</i></p>	<p><i>Counsel for Defendants Prospect Medical Holdings, Inc. and Prospect Crozer, LLC</i></p>
	<p>QUINN EMANUEL URQUHART & SULLIVAN LLP</p>
	<p><u>/s/Manisha M. Sheth</u></p>
	<p>Manisha M. Sheth <i>Admitted pro hac vice</i> 295 Fifth Avenue New York, New York 10016 Phone: 212.849.7000</p>
	<p><i>Counsel for Defendant Leonard Green and Partners</i></p>
	<p>BIRD, MARELLA, RHOW, LINCENBERG, DROOKS & NESSIM LLP</p>
	<p><u>/s/Devon E. Porter</u></p>
	<p>Devon E. Porter 1875 Century Park East, 23rd Floor Los Angeles, California 90067 Phone: 310.201.2100</p>
	<p><i>Counsel for Defendants Samuel Lee and David Topper</i></p>

SO ORDERED:

John F. Murphy
United States District Judge

CERTIFICATE OF SERVICE

I, Douglas K. Rosenblum, hereby certify that on this 13th day of December 2024, a true and correct copy of the foregoing Stipulation and Order will be served via the Court's electronic filing system upon all counsel of record.

/s/ Douglas K. Rosenblum
Douglas K. Rosenblum, Esquire